

July 13, 2011

FACSIMILE TRANSMITTAL
ARCHER & GREINER
A PROFESSIONAL CORPORATION

21 MAIN STREET, SUITE 353
COURT PLAZA SOUTH, WEST WING
HACKENSACK, NJ 07601-7095
FAX (201) 342-6611

TO: **Petitions: Kimberly Annette**

Telecopy #: **571-273-4618**

FROM: **Arnold Litt** Atty No.:

Telephone #:

Client Matter No.: 683-00573

ALSO SEND COPY TO:

Telecopy #:

Telecopy #:

Telecopy #:

Telecopy #:

Number of pages transmitted including this cover sheet:

5

ORIGINALS TO FOLLOW ____ YES X NO

Message:

RE: REGISTRATION NO. 6,453,044

Attached please find my letter dated 7/13/11 along with a re-executed Petition, pursuant to our telephone conversation. Should you have any questions, please contact me.

CONFIDENTIALITY NOTICE

The information contained in this telefacsimile message is privileged and confidential, and intended only for the use of the individual (s), and/or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any unauthorized disclosure, copying, distribution or taking of any action in reliance on the contents of the telecopied materials is strictly prohibited and review by any individual other than the intended recipient shall not constitute waiver of the attorney-client privilege. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for the return of the materials. Thank you.

If you have any problems receiving this message please call:

201-342-6000

DATE SENT: 7/13/11



ARCHER & GREINER, P.C.
ATTORNEYS AT LAW

ARNOLD D. LITT

*Member of New Jersey,
New York, Texas and
US Patent Bar*

21 MAIN STREET, SUITE 353
COURT PLAZA SOUTH, WEST WING
HACKENSACK, NJ 07601-7095
201-342-6000
FAX 201-342-6611

Email Address:
alitt@archerlaw.com

Direct Dial:
(201) 498-8520

www.archerlaw.com

July 13, 2011

VIA FACSIMILE (571-273-4618)

Commissioner for Patents
Mail Stop Petitions
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Kimberly Annette

RE: REGISTRATION NO. 6,453,044

Dear Ms. Annette:

Further to our telephone conversation of today, I enclose herewith a re-executed Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent, which has now been signed by the undersigned, as per your direction.

As you know, you are already in possession of Statement Under 37 CFR 3.73(b), as well as the maintenance fees and surcharge in the total amount of \$2,880.00.

We believe the enclosures now complete the Petition and respectfully request the grant of the Petition and reinstatement of the patent. Your immediate attention to the above would be greatly appreciated.

ARCHER & GREINER
A Professional Corporation

By: 

ARNOLD D. LITT

ADL/jlc
Enclosure

HADDONFIELD OFFICE
One Centennial Square
Haddonfield, NJ 08073-0958
P 856-795-2121
P 856-795-0574

PRINCETON OFFICE
700 Alexander Park
Suite 102
Princeton, NJ 08540
P 609-580-3700
P 609-580-0051

FLEMINGTON OFFICE
Plaza One
1 State Route 12, Suite 201
Flemington, NJ 08822-1722
P 908-788-9700
P 908-788-7854

PHILADELPHIA OFFICE
One Liberty Place - 32nd Floor
1650 Market Street
Philadelphia, PA 19103-7393
P 215-963-3300
P 215-963-9999

WILMINGTON OFFICE
300 Delaware Avenue
Suite 1270
Wilmington, DE 19801
P 302-777-4350
P 302-777-4352

GEORGETOWN OFFICE
9 East Market Street
P.O. Box 977
Georgetown, DE 19947
P 302-858-5151
P 302-858-5151

NEW YORK OFFICE
2 Penn Plaza
Suite 1500
New York, NY 10121
P 212-232-4988
P 212-629-4568

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6453044Application Number 09696238Issue Date 09/17/2002Filing Date 10/26/2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above – identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date

Signature

Typed or Printed Name of Person Signing Certificate

02/14/2011 DALLER 00000008 6453044

Adjustment date: 07/14/2011 CHILSON

01 FC:2502

1240.00 OP

02/14/2011 DALLER

00000008 6453044

03 FC:1599

1240.00 OP

01 FC:1599

-2888 00 01

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/66 (03-09)

Approved for use through 03/31/2012, OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1. SMALL ENTITY☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.**2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)**3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1,240.00	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ _____

4. SURCHARGE

The surcharge required by 37 CFR 1.20(f)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ _____

5. MANNER OF PAYMENT☒ Enclosed is a check for the sum of \$ 2,880.00☐ Please charge Deposit Account No. _____ the sum of \$ _____☐ Payment by credit card. Form PTO-2038 is attached.**6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY**☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

7. OVERPAYMENT

As to any overpayment made please

OR

☐

Credit to Deposit Account No. _____

☒

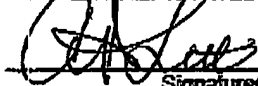
Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

Signature(s) of Petitioner(s)

7/13/2011

Date

Arnold B. Litt

Typed or printed name(s)

Registration Number, if applicable

201 342-6000 ext 220

Telephone Number

21 Main St Hackensack, NJ 07601

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES☐

Maintenance Fee Payment

☐

Surcharge under 37 CFR 1.20(b)(2) (fee for filing the maintenance fee petition)

☐

Payments above previously submitted